

HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND

HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

WAMP No. 1234 of 2007

And

Writ Appeal No.15 of 2006

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Between:

FPG Limited, a company incorporated under the Companies Act, 1956, having its registered office at Mumbai (the successor-in-interest insofar as the factory at Thimmapur, Mahaboobnagar District of CEAT Limited), Thimmapur, Mahaboobnagar District, Andhra Pradesh, represented by its General Manager (HR) Mr. V.Sundar Rao and another

... Appellants

And

The Presiding Officer, Labour Court-III,
Chandravihar, M.J. Road, Hyderabad
and two others

... Respondents

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::JUDGMENT::

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Counsel for the appellants : Shri C.R. Sridharan

Counsel for respondent No. 2 : Shri V. Narasimha Goud

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August 23, 2007

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Per G.S. Singhvi, CJ

This is an application by respondent No.2 in Writ Appeal No. 15 of 2006 for dismissal of the appeal in terms of judgment dated 4-4-2007 rendered in Writ Appeal No. 14 of 2006.

Shri C.R. Sridharan, learned counsel for the appellants very fairly stated that the issue raised in the writ appeal stands decided by the

judgment of this Court, but submitted that the Court may clarify that the observations made by the learned Single Judge on the merits of the award which was subject matter of challenge in the writ petitions will not influence adjudication of the case by the Labour Court.

In our opinion, the apprehension expressed by Shri C.R. Sridharan is not well founded because while disposing of the writ petitions, the learned Single Judge had made it clear that the Labour Court shall adjudicate the dispute without being influenced by any observation made by the High Court with regard to the quantum of punishment imposed on the workman.

With the above observation, the application is allowed and Writ Appeal No. 15 of 2006 is dismissed with the direction that the detailed reasons recorded in judgment dated 4-4-2007 rendered in Writ Appeal No. 14 of 2006 shall be read as part of this order.

G.S. SINGHVI, CJ

C.V. NAGARJUNA REDDY, J

August 23, 2007
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